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# 

## Editor Bill Stein

#### About the Authors

Rollin H. Baker, a retired professor of zoology at the University of Kansas and Michigan State University, had an earlier article in volume 1, issue 1 of this publication.

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# Leroy Wilkinson A New Hero of San Jacinto

# by Bill Stein

In 1932, Sam Houston Dixon and Louis Wiltz Kemp published The Heroes of San Jacinto, a 451 page volume which, according to its foreword, undertook to "collect and present in permanent form the essential facts regarding the lives and achievements of that heroic band of patriots who faced the Mexican Army at San Jacinto April 21st, 1836".1 Dixon and Kemp list nine men who were "killed or mortally wounded" and 34 who were simply wounded. The list of the wounded contains the names of two men who are said to have died later, Giles A. Giddings and James Cooper. Giddings died of his wound on June 10, 1836, not quite two months after the battle. Though the exact date is unknown, Cooper also died in 1836. He is said to have been "severely" wounded in the battle and is reportedly described in Travis County probate records dating from 1840 as "a deceased soldier of the army of the Republic who died in the year 1836."2 Now, on the basis of a document discovered in Colorado County's probate records, it seems a third name, that of Leroy Wilkinson, should be added to the short list of those who died of wounds received at San Jacinto.

Dixon and Kemp include Wilkinson among their casualties, but do not report his death. On page 223, they state that he was born in Georgia, arrived in Texas on March 4, 1835, and was issued a headright certificate by the Colorado County Board of Land Commissioners in 1838.

The newly discovered document, dated June 30, 1839, is a letter written by William J. E. Heard to Willard Wadham, who at the time was Chief Justice of Colorado

<sup>1</sup> Sam Houston Dixon and Louis Wiltz Kemp, *The Heroes of San Jacinto*, (Houston: The Anson Jones Press, 1932), p. xv.

<sup>2</sup> ibid., p. 255

County. Stored in the Office of the County Clerk, it is one of three documents in Colorado County Probate File No.11.

It has been folded twice vertically and three times horizontally, creating twelve sections. Two of the twelve sections, those to the far left and in the second and third rows, have been lost, making some reconstruction necessary. Fortunately, about half of each missing piece is occupied by margin. The pieces at the top and the bottom of the letter that fit right above and below the missing sections contain no more than five or six characters on any line. The reconstructed letter reads:

June the 30th 1839

Dear Sir:

I received a few lines from you requiring of me to attend at the next term of the probate court to settle Ithe esitate of Leroy Wilkinson I will [give] you a history of the case Wilkinson [was wlounded at sanjacinto and died of his [woulnd he had no property that I can [find] he had been in the country but a short [time] about a year the land that was Idue hlim I have had a third of a league [localted and surveyed for which I paid [one?] hundred dollars he has more land Idue hlim which I have never gotten I still fintenld to do it I expected his brother here [from] georgia last fall and thought I would [give] up the affair to him there was no [inv]entory of property returned as there [coulld be none found I should like for the matter to rest till fall and if his brother does not come I shall petition the court to sell as much of the land as will pay me my money back and return the ballance to the proper authority and and close the business I am with Great respect your most obedient William J E Heard

### Leroy Wilkinson

Unfortunately, the file does not mention the date of Wilkinson's death, but the contents of Heard's letter provide at least two clues. His statement that he had been in the country "about a year" before he died, coupled with Dixon and Kemp's that he arrived in March, 1835, indicate that his death occurred very shortly after the battle. Since Heard reports that he had expected Wilkinson's brother to arrive from Georgia "last fall", it can be absolutely assumed that he died far enough before autumn, 1838, to get a message to Georgia and to have his brother make the trip to Texas. It also seems evident from the letter that it had been Heard who secured the land certificate, in Wilkinson's name, from the Board of Land Commissioners.

The other two documents in the probate file deal with Heard's appointment as administrator. Both are dated March 27, 1837, making it certain that Wilkinson was dead by then. Both describe Wilkinson as a citizen of Colorado County. Neither sheds any more light on the nature or exact date of his death.

The land certificate itself, number 96 in the Colorado County Book of Land Certificates, is dated March 2, 1838 and confirms that it had been Heard, as Wilkinson's administrator, who appeared before the board. Heard proved that Wilkinson had been a single man who had emigrated before May 2, 1835 and was granted a certificate for one third of a league of land.

From all the evidence, it is quite clear that Wilkinson served in the Texan army at the Battle of San Jacinto, was wounded, and died of his wounds sometime within a year of the battle. He should be added to the list of Texans that were mortally wounded at San Jacinto.

# Tom Waddell's Wildlife "Family"

by Rollin H. Baker

Thomas Tomkinson Waddell (1889-1982) was a major figure and tremendous influence in bringing the citizens of the Colorado County area an understanding of the importance of wildlife conservation and environmental education. In fact, in his long career his philosophy about nature and man's need to nurture it impressed the residents of much of the mid-Texas Gulf Coastal Plain from as far east as Houston to as far west as Victoria and San Antonio.

In going through his voluminous private papers, this author, also a doting son-in-law, found literally dozens of news clippings about him. These clippings, from most major Texas newspapers and dating from the late 1920s to the early 1980s, were devoted to stories featuring Tom Waddell's expertise in outdoor matters.

His reputation as a keen and accurate observer of wildlife extended well beyond the borders of Texas. Through the years there was a constant stream of noteworthy personages – journalists, sportsmen, natural historians, photographers, ecologists, bird watchers – lured to the Eagle Lake area because of his presence. Those making the trip to off-the-beaten-track Eagle Lake included famed birdguide author Roger Tory Peterson, Texas naturalist Roy Bedichek, university professors and their students, Denver museum director Alfred Bailey, ornithologists Des and Jen Barlett, outdoor photographers like Richard Borden, and several Texas governors.

They wanted to join Waddell on hunting excursions, to allow him to show them the antics of prairie chick-

<sup>1</sup> Waddell already had received a full share of personal publicity from his prowess as a youthful competitor on the diamond and the gridiron. That is another story beyond the scope of this article.

ens on "booming" grounds or the strange behavioral interactions of nesting herons and egrets in lakeshore shrubbery, or just to listen to his sterling commentary on outdoor matters. Whatever the occasion, Waddell injected his personal philosophy into the conversation always alluding to the good and bad effects of the changes wrought, through his half century of observations, by human encroachment on the environment of his beloved Texas Gulf Coastal Plain.

All of this came about because Waddell ceased to be just a successful farmer with an avocation as a sportsman and naturalist when, on July 1, 1925, he received his commission as a state game warden. In his 32 year career as a game warden (he retired at age 65 on August 31, 1957), he was able to put his sincere interests in the wildlife community into positive and full-time action and spread his feeling that everyone should become better informed about nature and its fragile characteristics.

Consequently, Waddell endeared himself to several generations of south central Texans, making them progressively more interested in preserving "his" wildlife and its living space. At the same time, he incurred the displeasure of a plague of violators of the statutes regulating the harvest of his cherished game species. He hoped that in most cases these miscreants, after being brought to justice, would depart, mend their ways, and sin no more. Many of them did, and later some even became his friends and advocates of his conservation programs.

The prairie/woodland habitats in the Eagle Lake area contain environments conducive to the survival of an astonishing array of birds, mammals, and other wildlife species. But in those far off days of the mid 1920s, many of the choice living places for wildlife were poorly stocked with game. Why? Simply because such species as the white-tailed deer were over hunted by local gunners. Some of these deer slayers were outlaw game hogs even illegally selling venison. Others were honestly not aware that laws had been passed that not only regulated the bag limit but also restricted hunting to a strict schedule of autumn and winter

months. State Game Warden Waddell was prompt to discourage the outlaw element and educate others as to the regulations.

The local citizenry found out rather abruptly that Waddell was a no-nonsense game warden, deeply saddened when his "family" of wildlife was illegally abused and willing to spend great effort to apprehend violators. In short, he meant business, had the law on his side, and possessed physical attributes (a slight by wiry, muscular build nurtured by his athletic background) to help back up his position.

This unswerving reputation followed him throughout his career, even though he had to be temporarily fired on an occasion or two, for appearances sake, because he doggedly arrested even politically powerful individuals for violating game laws. In retaliation, they pulled strings among officials in Austin to have him ejected. His boss, the executive secretary of the Texas Game, Fish and Oyster Commission (now Texas Parks and Wildlife) presumably would secretly commend him for his good work while discharging him, for a short while later, when frayed feelings were on the mend and the air around Austin had cleared a bit, the Commission's Executive Secretary, William J. Tucker, would quietly put him back on the payroll.

Waddell was quoted in one news story announcing his retirement in 1957 as saying, "When I began service with the department in 1925, there were only 120 deer counted in the entire county. Last year [1956] hunters in Colorado County woods killed 1500 bucks and there were plenty left, plus an abundance of does." During Waddell's tenure, the white-tailed deer did indeed return to Colorado County in remarkable numbers, increasing in forested sectors to near carrying capacity.

It was also his fortunate opportunity to witness and even be a catalyst to the post drought return, beginning in the mid 1930s, of the fabulous wintering waterfowl populations to the Eagle Lake area. The attraction was

<sup>2</sup> See Eagle Lake Headlight, June 6, 1957.

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triggered chiefly by the expansion of rice culture. Irrigation canals, ponds scattered through fallow rice fields, oxbow lakes, and natural prairie ponds produced aquatic havens attractive to foraging ducks and geese.

By 1940, he had his hands full attempting to patrol woodlands, prairies, and rice fields — all habitats with an abundance of highly shootable game species. And in those times his area for surveillance included not only Colorado County but all or parts of such adjacent counties as Wharton, Austin, Fayette, and Lavaca. All this in times when wardens lacked such electronic gadgetry as two-way car radios and walkie-talkies. Somehow or other the energetic Waddell managed to make his rounds and also maintained his constant public education program.

Waddell was in mid-life when the fledgling field of wildlife ecology finally became a respected science. Fortunately, he already had a canny, self-developed sense of observation that allowed him to accurately interpret the reasons for various animal's actions and behaviorisms. Nevertheless, Waddell quickly took advantage of the findings of the newly-founded scientific discipline. His native know-how impressed and placed him in good stead with visiting biologists. They learned from him and he was adaptable enough to learn from them.

It was when Biologist Valgene Lehmann and his colleagues (one of whom was your author) from Texas A & M s Cooperative Wildlife Research Unit came to study Colorado County wildlife in the latter years of the 1930s that this interaction of classroom education and field savvy really developed. Waddell and these intruders from College Station quickly developed a mutual respect.

Originally, departmental policy of the Texas Game, Fish and Oyster Commission had followed the theory that enforcement of sound hunting regulations would ensure preservation of sustained populations of wildlife. However, Waddell had slowly decided on his own that strict enforcement of laws often was not enough.

Instead, he considered the diversity of human

land uses and noted that some practices might, for example, encourage upland game like bobwhite quail or discourage woodland game like white-tailed deer. This concept of combining adequate law enforcement with proper land management to produce livable wildlife habitats was first put into effect in Texas in Colorado County through the Waddell-Lehmann association.

Even so, this now widely-practiced concept was not workable in all situations — not with farmers and ranchers also trying to earn a living on the land. In short, for wildlife to be sustained in the midst of such an operation, it had to be compatible with agribusiness.

One of the prized members of Waddell's wildlife "family" demonstrated such incompatibility. He could do nothing — through law enforcement or habitat manipulation — but watch with dismay for more than 50 years the pitiful decline of "his" most remarkable game bird. This bird was Attwater's prairie chicken, a denizen of the open lands along the Gulf coastal plain. Its range dwindled and, as knowledgeable Texans know, has become reduced in the past few decades to a few token and widely scattered flocks.

Waddell could provide white-tailed deer and bobwhite quail with protection from overhunting and, lo and behold, these animals almost surrounded him with their numbers. These particular species truly thrived even when their native environments were altered through human landuse practices. On the other hand, Attwater's prairie chicken, like the passenger pigeon, Carolina paroquet, and ivorybilled woodpecker, to mention other decimated birds which included eastern Texas as part of their presettlement ranges, lacked that inborn capability of surviving in the midst of human activity.

Waddell did his best to preserve "his" prairie chickens. He was, for example, a dominant force in the negotiations which in 1966 led to the protection of quality prairie chicken habitat along the San Bernard River. The Nature Conservancy in cooperation with the World Wildlife Fund acquired the property, with Waddell appointed as

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manager of the area and its wildlife.<sup>3</sup> This led in 1972 to the designation of the property by the U. S. Fish and Wildlife Service as the Attwater's Prairie-chicken National Wildlife Refuge.

Despite managing this spacious environment for Colorado County's remaining prairie chicken flock, the birds have not thrived. In his late years, Waddell became less optimistic about their welfare. "Some kinds of wildlife, " he once remarked, "just don't respond to human upkeep. Getting nature to do like you want it to do is a lot like baseball and football games," he continued philosophically, "you just can't win every time."

The good citizens of Colorado County owe Waddell a deep debt of gratitude for modernizing their concepts of environmental conservation and wildlife management. He was one of those most unusual persons who came to the right place at the right time and effectively carried out an important mission.

<sup>3</sup> See Colorado County Citizen, March 24, April 28, July 7, September 8, 1966, Houston Chronicle, April 18, 1971.

<sup>4</sup> See Houston Chronicle, July 31, 1989, Houston Post, March 30, 1990.

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# Index to Early Colorado County Probate Files

Compiled by William H. Harrison and Bill Stein

Because of an inscrutable indexing system, the files of Colorado County's early probate court have long been inaccessible. This simple index, of the files numbered 1 to 800, runs from the county's beginnings through mid 1875. It provides only the number of the probate file. Some idea of the age of the file can be gotten from the number, for they are, of course, numbered sequentially. The files themselves are stored in the office of the County Clerk. Further information about the cases can be found in the various probate minute and final record books stored in the same office.

Though probate is usually associated with the recognition and registration of wills, the Colorado County Probate Court also awarded official quardianship of orphans and other minor heirs, and insane persons. The designations "minor", "minor heirs of", and "insane" are used in the index to identify quardianship cases. The tag "minor" identifies a specific, named, minor heir. The tag "minor heirs of" refers to one or more unnamed minor heirs of the named individual. The single designation "insane" has been used in place of the designations "lunatic" and "N. C. M." [non compos mentis] which appear on the original files. In one case, the court heard the plea of Frederick Scranton to become the curator of the league of land awarded to Samuel Kenelly, because Kenelly's whereabouts were unknown. That case is labelled "absentee". Individuals with no such tag may be presumed to have been deceased.

Many of the entries have more than one probate file number. In such cases, the files may be for the same individual, or for different individuals with the same name. Some numbers have been assigned more than once. Sometives, such files are designated A and B.

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# A Bar Bet Gone Wrong

by Bill Stein

At about midnight, on Saturday, October 23, 1897, Peter F. Campbell, a local brick and rock mason, entered the Weimar saloon that was owned and operated by his friend, Henry Juergens. Juergens, who was well known as a crack shot, was playing with a .38 caliber pistol when Campbell walked in. As a joke, Juergens remarked that he could shoot Campbell's hat off his head. Recklessly, Campbell accepted the challenge and bet Juergens that he could not. Campbell straightened and Juergens took aim and fired.

Instantly, Campbell collapsed to the floor. The bullet had gone through his hat, but also into his forehead. He lingered for two days, finally dying on the night of October 25. The horrified Juergens was shattered by the incident. He was immediately arrested but was released on bail on October 26.

Two weeks later, still overcome with remorse, he sold his saloon and his home to Henry Laas and moved to La Grange. But the new surroundings provided him little solace. His demeanor had been forever changed. Finally, on November 20, 1914, seventeen years after he had killed Campbell, he killed himself in his home in La Grange.

# New At The Nesbitt

Dorothy Cox of Sugar Land provided additional information about several of the people mentioned by Henry Calhoun Thomas on page 77 of his A Sketch of My Life (volume 1, number 3, February, 1990 issue of this magazine). According to Ms. Cox, the men referred to as "Ables" and "Jones" were probably James C. Abell and William Jones. Abell, whose name was pronounced with the accent on the last syllable, lived in Colorado County from 1842 to 1878. He died while visiting his daughter, Lydia McGill, in Moulton on February 27, 1878. After his first wife, Margaret, died in 1872, Abell married Sallie Bridge, the widow of William E. Bridge. One of his daughters married John Thatcher and one of his step daughters (Rebecca Barnett, Margaret's daughter by a previous marriage) married John A. Suggs. Jones was married to Abell's wife's sister.

Pet Crawford of Columbus pointed out a curious inconsistency in Dr. Benjamin Neal's account of his early days in Texas, which was published under the title *Pioneer Days When Sturdy Men Laid Strong Foundations* (volume 1, number 3, February, 1990). On page 94, Neal is said to have come to America in 1855 in search of an uncle who had disappeared into California during the 1849 gold rush. On page 97, he speaks of debating "the future of Texas" with Gail Borden, Ashbel Smith, and Sam Houston, claiming that he favored having the state remain a republic. As Mr. Crawford pointed out, this was a peculiar subject for debate considering that Texas had already been a part of the United States for a decade when Neal arrived in the state.

The alphabetical index of the 1880 census of Colorado County has been completed. Assistant Librarian Susan Archuletta has recently begun the monumental task of loading the index into a computer.



Doug Leggett was going through a box of unidentified photographs from the Thurmond West Collection when he came across this picture, which seems to be of the wild man who was captured in 1898 (see *The Wild Man of Colorado County*, volume 1, number 1, November 1989). The wild man, who was described as a man with tattered clothing, no shoes, and a long beard, was captured by five men and some bloodhounds on November 6, 1898. When he was captured, he had a knife. Clearly the bearded man in the middle of the group matches the description of the wild man, and the five men around him, one of whom is holding a knife and another of whom has a dog on a leash, seem to be his captors.

The library's attempt to catalogue all Colorado County cemeteries is proceeding. In April, the computer files in which the data is kept were reorganized to make access easier. A master index now allows patrons to quickly

#### New At The Nesbitt

pinpoint the cemeteries in which people with a particular surname are buried.

Recently, not a month has passed without some cemetery or another being surveyed or audited. A month by month account of the activity:

# February

Hahn Cemetery - surveyed by Elizabeth Schoellmann

Zimmerscheidt Leyendecker Cemetery - audited and completed by Jean Gross, Anders Saustrup, and Bill Stein

Carlton Cemetery - surveyed by Nancy Wooten, Bernice Etheridge, Celia Perry, and Bill Stein.

#### March

Miller Cemetery - audited and completed by Jim Kearney, Anders Saustrup, and Bill Stein

Flournoy Homestead Cemetery - audited and completed by Jim Kearney, Anders Saustrup, and Bill Stein

Reichardt Cemetery - audited and completed by Anders Saustrup and Bill Stein

Kretzschmar Cemetery - audited and completed by Larry Uhlig, Anders Saustrup, and Bill Stein

## April

Fitzgerald Cemetery - audited and completed by Lucien Templain and Bill Stein

Grace Cemetery - audited and completed by Lucien Templain and Bill Stein

Ludwig Brune Cemetery - surveyed by Thurman Brune
May

Alley Family Cemetery - audited and completed by Nina Tuttle and Bill Stein

Columbus City Cemetery - audited and completed by Michael Hawn and Bill Stein

#### June

Willing Workers Cemetery - partially surveyed by Michael Hawn, Trey Scott, and Bill Stein

Obenhaus Cemetery - surveyed by Jim Kearney and Bill Stein
July

Sam Houston Cemetery - surveyed by Melvin Reue and Bill Stein

- Rees Cemetery audited and completed by Melvin Reue and Bill Stein
- Adams Cemetery surveyed by MacDonald Ruffeno, Rita Ruffeno, and Bill Stein

#### Recent Additions to the Texas Room

#### Donations:

- Isaac Towell & His Family by Roy Towell, Jr. (1990) Donated by Roy Towell, Jr.
- Face to Face With the Mexicans by Fannie Chambers Gooch (1887) Donated by Jim Kearney
- Texas Independence by Andrew Jackson Houston (1938)
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- A Digest of the Laws of Texas by James Wilmer Dallam (1904) Donated by Robbie Lee Steger
- The Authentication, Acknowledgment and Proof of Written Instruments Under the Various Laws Which Have Been in Force in Texas From Her Earliest History to the Present Time by Russell Whitelaw Houk (1908) Donated by Robbie Lee Steger
- Miracle Within the Walls by A. B. J. Hammett (1963) Donated by Robbie Lee Steger
- The United States and Mexico 1821-1848 by George Lockhart Rives (1969 reprint) Donated by Bernetta and Larry Uhlig in memory of Dr. C. I. Shult
- Gems From A Texas Quarry edited by Ella Hutchins Steuart (1885) Donated by Laura Ann Rau
- Footlights On The Border by Joseph Gallegly (1962) Donated by Anders Saustrup
- The Béxar Archives (1717-1836) A Name Guide compiled and edited by Adán Benavides, Jr. (1989) Donated by Laura Ann Rau

# Purchases:

The Writings of Sam Houston, 8 volumes (1938-1943)
Odd Fellowship in America and in Texas by W. H. Walker (1911)

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Tom Waddell in 1966